

**REGULAR**

**NUMBER:** 208.40

**TITLE:** AN ORDINANCE OF THE CITY OF MILPITAS AMENDING SECTIONS 6.01, CHAPTER 2, TITLE VIII OF THE MILPITAS MUNICIPAL CODE, RELATING TO SEWER SERVICE CHARGES

**HISTORY:** This Ordinance was introduced (first reading) by the City Council at its meeting of August 2, 2005, upon motion by Councilmember Livengood and was adopted by the City Council at its meeting of \_\_\_\_\_, upon motion by Councilmember Livengood. Said Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES: 0

NOES: 0

ABSENT: 0

ABSTAIN: 0

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Steve Mattas, City Attorney

**ORDAINING CLAUSE:**

THE CITY COUNCIL OF THE CITY OF MILPITAS DOES ORDAIN AS FOLLOWS:

Schools, colleges and churches	\$2.75	2.91
Convalescent hospitals, day care centers, and health service facilities	\$2.18	2.34
Elmwood Rehabilitation center	\$2.13	2.29

- c) City of San Jose for properties known as North McCarthy Properties \$459 bimonthly for any discharge up to 75,000 gallons per day (*Maximum Flow*). Excess flow charge of \$100 for each 1,000 gallons per day in excess of the Maximum Flow or part thereof.
3. Purpose of Charge: The purpose of these charges is to defray the cost of operation and maintenance of the City's facilities, the cost of sewage treatment, and the debt service for the revenue bonds to finance the City's proportionate share of capital improvements at the San Jose/Santa Clara Water Pollution Control Plant.

Effective Date: The sewer service charges in Section 6.01 as established by Ordinance 208.40 for FY 2005/06 shall become effective for utility bills issued on or after August 1, 2005, for meters read on or after July 18, 2005. All bills mailed thereafter shall be charged these charges. The sewer service charges for FY 2006/07 shall become effective for utility bills issued on or after August 7, 2006, for meters read on or after July 24, 2006. All bills mailed thereafter shall be charged these charges.

**REGULAR**

**NUMBER:** 120.43

**TITLE:** AN ORDINANCE OF THE CITY OF MILPITAS AMENDING SECTIONS 6.13, 6.14, 6.15 AND 6.16, CHAPTER 1, TITLE VIII OF THE MILPITAS MUNICIPAL CODE, RELATING TO QUANTITY CHARGES, BIMONTHLY WATER METER CHARGES, FIRE SERVICE CHARGES AND EFFECTIVE DATE OF WATER RATES.

**HISTORY:** This Ordinance was introduced (first reading) by the City Council at its meeting of August 2, 2005, upon motion by Councilmember Livengood and was adopted (second reading) by the City Council at its meeting of \_\_\_\_\_, upon motion by Councilmember Livengood. Said Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES: 0

NOES: 0

ABSENT: 0

ABSTAIN: 0

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose Esteves, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Steve Mattas, City Attorney

**ORDAINING CLAUSE:**

**THE CITY COUNCIL OF THE CITY OF MILPITAS DOES ORDAIN AS FOLLOWS:**

Amendment to Section VIII-1-6.13. Title VIII, Chapter 1, Section 6.13 of the Milpitas Municipal Code is hereby amended to read as follows:

**VIII-1-6.13****Quantity Charges:**

The quantity charges per hundred cubic feet for metered water service shall be as follows:

Categories	Tiers	2005/2006 Rate	2006/2007 Rate
Residential customers (per dwelling unit)	1-20 hcf	\$1.40	\$1.49
	21+ hcf	\$2.93	\$3.13
Commercial, Industrial, Institutional, and Construction Meter		\$3.19	\$3.40
Recycled Industrial Process Use		\$1.60	\$1.70
Recycled Sanitary Use (Inside Dual Plumbing)		\$1.60	\$1.70
Potable Irrigation		\$3.65	\$3.89
Recycled (Formerly Served by Wells)		\$0.68	\$0.68
Recycled (Agricultural Service)		\$0.32	\$0.32
For City Accounts (Recycled)		\$0.55	\$0.61
Recycled (All other)		\$2.92	\$3.11
Santa Clara County (Ed Levin Park)		\$1.02	\$1.02
City of Milpitas accounts (potable)		\$1.10	\$1.12

No adjustments shall be granted to any water account holder due to variation in the days of service for any bimonthly billing period. Acceptable days of service range from 50 to 69 days per bimonthly billing period.

Amendment to Section VIII-1-6.14. Title VIII, Chapter 1, Section 6.14 of the Milpitas Municipal Code is hereby amended to read as follows:

**VIII-1-6.14****Bimonthly Water Meter Charges:****Water Meter Charges:**

The bimonthly charges for water meters shall be made on the basis of the size of the water meter (excluding Recycled Irrigation Formerly Served by Wells and Agricultural Service customers), and shall be as follows:

**a) For Residential Customers:**

Water Meter Size, inches	2005/2006 Charges, \$	2006/2007 Charges, \$
5/8	\$17.68	\$18.86
3/4	\$18.79	\$20.05
1	\$26.69	\$28.48
1-1/2	\$33.66	\$35.92
2	\$43.93	\$46.87
3	\$117.61	\$125.49

4	\$149.03	\$159.02
6	\$227.43	\$242.67
8	\$297.98	\$317.94
10	\$431.33	\$460.23

- b) **For Non-Residential Customers (excluding Recycled Irrigation Formerly Served by Wells and Agricultural Service customers):**

<b>Water Meter Size, inches</b>	<b>2005/2006 Charges, \$</b>	<b>2006/2007 Charges, \$</b>
5/8	\$18.65	\$19.90
3/4	\$19.83	\$21.16
1	\$28.22	\$30.11
1-1/2	\$35.58	\$37.96
2	\$46.39	\$49.50
3	\$124.20	\$132.52
4	\$157.36	\$167.90
6	\$240.19	\$256.28
8	\$314.70	\$335.78
10	\$455.53	\$486.05

- c) **For Recycled Irrigation Formerly Served by Wells and Agricultural Service Customers:**

\$60.00 bimonthly

Amendment to Section VIII-1-6.15. Title VIII, Chapter 1, Section 6.15 of the Milpitas Municipal Code is hereby amended to read as follows:

**VIII-1-6.15 Fire Service Charges:**

The bimonthly charges for fire services provided by detector check valves shall be made on the basis of the size of the detector check valve, and shall be as follows:

- a) **For Residential Customers:**

<b>Detector Check Valve Size, inches</b>	<b>2005/2006 Charges, \$</b>	<b>2006/2007 Charges, \$</b>
2	\$28.27	\$30.16
3	\$42.46	\$45.30
4	\$47.18	\$50.34
6	\$61.36	\$65.47
8	\$75.48	\$80.54
10	\$89.64	\$95.65

- b) **For All Other Customers:**

<b>Detector Check Valve Size, inches</b>	<b>2005/2006 Charges, \$</b>	<b>2006/2007 Charges, \$</b>
2	\$29.90	\$31.90
3	\$44.85	\$47.85
4	\$49.83	\$53.17
6	\$64.81	\$69.15
8	\$79.70	\$85.04
10	\$94.63	\$100.97

Water service for fire services provided by detector check valves shall be used solely for the purpose of fire protection and testing of such fire protection systems. In the event that water service provided by detector check valves is used for purposes other than such purposes, a quantity charge of \$14.75 per hundred cubic feet shall be imposed for water use that exceeds one hundred cubic feet per billing period.

Amendment to Section VIII-1.6.16. Title VIII, Chapter 1, Section 6.16 of the Milpitas Municipal Code is hereby amended to read as follows:

**VIII-1-6.16      Effective Date of Water Rates:**

The 05/06 water quantity charges in Section 6.13, the water meter charges in Section 6.14, and the fire service charges in Section 6.15 as established by Ordinance No. 120.43 shall become effective for utility bills issued on or after August 1, 2005 for meters read on or after July 18, 2005. All bills mailed thereafter shall be based upon these charges. The 06/07 water quantity charges, water meter charges and fire service charges will become effective for utility bills issued on or after August 7, 2006 for meters read or after July 24, 2006. All bills mailed thereafter shall be based upon these charges.